

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-10 (Canceled).

Claim 11 (Currently Amended): An EGR cooler comprising:

tubes;

a shell enclosing said ~~tube~~ tubes;

a cooling water inlet, attached to an end of the shell, to supply cooling water into said shell;

a cooling water outlet, attached to another end of the shell, to discharge the cooling water from said shell;

a guide, attached to said shell, to guide gas into said tubes for thermal exchange of said gas with said cooling water; and

a bypass flow path, arranged in said shell, to guide the cooling water to a direction perpendicular to the flow of the cooling water through ~~diametrically opposite to~~ the inlet, wherein the bypass flow path includes a bypass conduit.

Claim 12 (Canceled).

Claim 13 (Canceled).

Claim 14 (Withdrawn): The EGR cooler as claimed in claim 11, wherein the bypass flow path is formed by peripherally curving the shell.

Claim 15 (Previously Presented): The EGR cooler as claimed in claim 11, wherein a bypass outlet of the bypass flow path is positioned within the cooling water outlet.

Claim 16 (Canceled).

Claim 17 (Previously Presented): The EGR cooler as claimed in claim 13, wherein a bypass outlet of the bypass flow path is positioned within the cooling water outlet.

Claim 18 (Withdrawn): The EGR cooler as claimed in claim 14, wherein a bypass outlet of the bypass flow path is positioned within a cooling water outlet.

Claims 19-23 (Canceled).

Claim 24 (Currently Amended). A system comprising:

a diesel engine; and

an EGR cooler including

tubes,

a shell enclosing said ~~tube~~ tubes,

a cooling water inlet, attached to an end of the shell, to supply cooling water into said shell,

a cooling water outlet, attached to another end of the shell, to discharge the cooling water from said shell,

a guide, attached to said shell, to guide exhaust gas being guided from the diesel engine into said tubes for thermal exchange of said exhaust gas with said cooling water, and

a bypass flow path, arranged in said shell, to guide the cooling water to a direction perpendicular to the flow of the cooling water through diametrically opposite to the inlet, wherein the bypass flow path includes a bypass conduit.